

AMENDED IN SENATE MARCH 26, 2009

**SENATE BILL**

**No. 155**

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**Introduced by Senator Wright**  
*(Coauthors: Senators Alquist, Wiggins, and Wyland)*

February 12, 2009

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An act to ~~amend Sections 69612, 69613, 69613.2, 69613.4, 69613.6, and 69615~~ add and repeal Article 3 (commencing with Section 70130) of Chapter 3 of Part 42 of Division 5 of Title 3 of the Education Code, relating to student financial aid.

LEGISLATIVE COUNSEL'S DIGEST

SB 155, as amended, Wright. Student financial aid: *State Nursing Assumption Program of Loans for Education*: school nurses.

*Existing law establishes within the State Nursing Assumption Program of Loans for Education (SNAPLE), a program under which any person who is enrolled in an eligible institution, and who agrees to work full time as a registered nurse in a state-operated 24-hour facility, including a prison, psychiatric hospital, or veterans home, that employs registered nurses, is eligible to receive a conditional loan assumption agreement, to be redeemed upon becoming employed as a clinical registered nurse in an eligible facility.*

*This bill would establish a program within the SNAPLE, under which a student who is enrolled in an eligible program, and who agrees to be employed as a school nurse in an eligible school or school district, would be eligible to receive a conditional loan assumption agreement, to be redeemed upon becoming employed as a school nurse in an eligible public elementary school or secondary school. The bill would provide for a progressive assumption of the amount of a qualifying loan over 4 consecutive years of qualifying employment as a school nurse, up to*

*a total loan assumption of \$11,000. The program would be repealed on January 1, 2016.*

~~Existing law provides for a program for the assumption of certain student loans of students who agree to enter into the teaching profession, known as the Assumption Program of Loans for Education (APLE), in designated subject matter shortage areas and in schools serving large populations of pupils from low-income families, schools serving rural areas, schools with a high percentage of teachers holding emergency permits, or schools with other specified characteristics.~~

~~This bill would expand the APLE to additionally provide for the assumption of student loans of students who agree to be employed as a school nurse in a school or school district that meets prescribed requirements. The bill would make conforming changes to the provisions governing the APLE.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     *SECTION 1. Article 3 (commencing with Section 70130) is*  
2     *added to Chapter 3 of Part 42 of Division 5 of Title 3 of the*  
3     *Education Code, to read:*

4  
5                     *Article 3. School Nurses*

6  
7     70130. *As used in this article, the following terms have the*  
8     *following meanings:*

9     (a) *“Commission” means the Student Aid Commission.*

10    (b) *“Eligible institution” means a postsecondary institution*  
11    *that is determined by the Student Aid Commission to meet both of*  
12    *the following requirements:*

13    (1) *The institution is eligible to participate in state and federal*  
14    *financial aid programs.*

15    (2) *The institution maintains a program of professional*  
16    *preparation for the clear school nurse services credential that has*  
17    *been approved by the Commission on Teacher Credentialing.*

18    (c) *“Eligible school” means a school that meets any of the*  
19    *following criteria:*

20    (1) *It serves a large population of pupils from low-income*  
21    *families, as designated by the Superintendent.*

1     (2) *The institution has 20 percent or more teachers holding*  
2 *emergency-type permits including, but not limited to, any of the*  
3 *following:*

4     (A) *Provisional internships.*

5     (B) *Short-term staff permits.*

6     (C) *Credential waivers.*

7     (D) *Substitute permits.*

8     (3) *It is a school that is ranked in the lowest two deciles on the*  
9 *Academic Performance Index.*

10    (4) *It is a school that serves a rural area.*

11    70131. (a) *Program participants shall meet all of the following*  
12 *eligibility criteria prior to selection in the program and shall*  
13 *continue to meet these criteria, as appropriate, during the payment*  
14 *periods:*

15     (1) *The applicant is enrolled in a program to complete training*  
16 *or coursework in order to obtain a clear school nurse services*  
17 *credential and agrees to work as a school nurse in an eligible*  
18 *school.*

19     (2) *The applicant is currently enrolled in, or has been admitted*  
20 *to, a program in which he or she will be enrolled on at least a*  
21 *half-time basis, as determined by the participating institution. The*  
22 *applicant shall agree to maintain satisfactory academic progress*  
23 *and a minimum of half-time enrollment, as defined by the*  
24 *participating eligible institution.*

25     (A) *Except as provided in subparagraphs (B) and (C), if a person*  
26 *participating in the program fails to maintain at least half-time*  
27 *enrollment, as required by this article, under the terms of the*  
28 *agreement pursuant to paragraph (2), the loan assumption*  
29 *agreement shall be invalidated and the participant shall be fully*  
30 *liable for all student loan obligations. This subparagraph shall*  
31 *not apply if the participant is in his or her final semester or quarter*  
32 *in school and has no additional coursework required to obtain his*  
33 *or her professional clear school nurse services credential.*

34     (B) *Notwithstanding subparagraph (A), if a program participant*  
35 *is unable to maintain at least half-time enrollment due to serious*  
36 *illness, pregnancy, or other natural causes, or is called to active*  
37 *military duty status, the participant is not required to assume full*  
38 *liability for the student loan obligation for a period not to exceed*  
39 *one calendar year, unless approved by the commission for a longer*  
40 *period.*

1 (C) If a natural disaster prevents a program participant from  
2 maintaining at least half-time enrollment due to the interruption  
3 of instruction at the eligible institution, the term of the loan  
4 assumption agreement shall be extended for a period not to exceed  
5 one calendar year, unless approved by the commission for a longer  
6 period.

7 (3) The applicant has been judged by his or her postsecondary  
8 institution, school district, or county office of education to have  
9 outstanding ability on the basis of criteria that may include, but  
10 need not be limited to, any of the following:

11 (A) Grade point average.

12 (B) Test scores.

13 (C) Faculty evaluations.

14 (D) Interviews.

15 (E) Other recommendations.

16 (4) The applicant has received, or is approved to receive, a loan  
17 under one or more of the following designated loan programs:

18 (A) The Federal Family Education Loan Program (20 U.S.C.  
19 Sec. 1071 et seq.).

20 (B) Any educational loan program approved by the commission.

21 (5) The applicant has agreed to be employed full time, for at  
22 least four consecutive academic years after obtaining a clear  
23 school nurse services credential, in a public elementary or  
24 secondary school in this state that, at the time that the school nurse  
25 is hired, is an eligible school, or in a public elementary or  
26 secondary school district in this state that has within it at least  
27 one school, that is in the school nurse's service territory, that at  
28 the time the school nurse is hired, is an eligible school.

29 (b) For the purpose of calculating eligible years of school nurse  
30 service for the redemption of an award, the designation by the  
31 Superintendent of a newly opened school pursuant to Section 52056  
32 shall apply retroactively from the date the school first opened.

33 (c) A person participating in the program pursuant to this  
34 section shall not enter into more than one agreement.

35 (d) A person participating in the program pursuant to this  
36 section shall not owe a refund on any state or federal educational  
37 grant nor have defaulted on any student loan.

38 70132. The commission shall commence loan assumption  
39 payments, as specified in Section 70133, upon verification that the  
40 applicant has fulfilled all of the following:

1     (a) *The applicant has received a California clear school nurse*  
2 *services credential, or an equivalent credential from another state,*  
3 *authorizing school nurse services for kindergarten or any of grades*  
4 *1 to 12, inclusive.*

5     (b) *The applicant has provided full-time employment as a school*  
6 *nurse, or the equivalent on a part-time basis, in a public elementary*  
7 *or secondary school for the equivalent of one school year.*

8     (c) *The applicant has met the requirements of the agreement*  
9 *and all other pertinent conditions of this article.*

10     70133. (a) *The terms of a loan assumption granted under this*  
11 *article shall be as follows, subject to the specific terms of each*  
12 *agreement:*

13         (1) *After a program participant has completed one school year*  
14 *of employment as a school nurse pursuant to Section 70132, the*  
15 *commission shall assume up to two thousand dollars (\$2,000) of*  
16 *the participant's outstanding liability under one or more of the*  
17 *designated educational loan programs.*

18         (2) *After a program participant has completed two consecutive*  
19 *school years of employment as a school nurse, the commission*  
20 *shall assume up to an additional three thousand dollars (\$3,000)*  
21 *of the participant's outstanding liability under one or more of the*  
22 *designated educational loan programs, for a total loan assumption*  
23 *of up to five thousand dollars (\$5,000).*

24         (3) *After a program participant has completed three consecutive*  
25 *school years of employment as a school nurse, the commission*  
26 *shall assume up to a maximum of an additional three thousand*  
27 *dollars (\$3,000) of the participant's outstanding liability under*  
28 *one or more of the designated educational loan programs, for a*  
29 *total loan assumption of up to eight thousand dollars (\$8,000).*

30         (4) *After a program participant has completed four consecutive*  
31 *school years of employment as a school nurse, the commission*  
32 *shall assume up to a maximum of an additional three thousand*  
33 *dollars (\$3,000) of the participant's outstanding liability under*  
34 *one or more of the designated educational loan programs, for a*  
35 *total loan assumption of up to eleven thousand dollars (\$11,000).*

36     (b) *For purposes of this section, "school year" means at least*  
37 *175 school days or its equivalent.*

38     (c) *An applicant who is employed on less than a full-time basis*  
39 *may participate in the program, but shall not be eligible for loan*

1 *repayment until that person completes employment as a school*  
2 *nurse for the equivalent of a full-time academic year.*

3 *70134. (a) Except as provided in subdivision (b), if a program*  
4 *participant fails to complete a minimum of four consecutive school*  
5 *years of employment as a school nurse on a full-time basis, or the*  
6 *equivalent on a part-time basis, as required by this article, under*  
7 *the terms of the agreement pursuant to paragraph (5) of subdivision*  
8 *(a) of Section 70131, the participant shall be fully liable for all*  
9 *student loan obligations remaining after the commission's*  
10 *assumption of loan liability for the last year of qualifying service*  
11 *pursuant to Section 70131.*

12 *(b) Notwithstanding subdivision (a), if a program participant*  
13 *becomes unable to complete one of the four consecutive years of*  
14 *employment as a school nurse on a full-time basis, or the equivalent*  
15 *on a part-time basis, due to serious illness, pregnancy, or other*  
16 *natural causes, or is called to active military duty status, the*  
17 *participant shall receive a deferral of the resumption of full liability*  
18 *for the loan for a period not to exceed one calendar year, unless*  
19 *approved by the commission for a longer period. The commission*  
20 *shall make no further payments under the loan assumption*  
21 *agreement until the applicable requirements specified in Section*  
22 *70132 have been satisfied.*

23 *(c) (1) Notwithstanding subdivision (a), a program participant*  
24 *shall receive a deferral of the resumption of full liability for the*  
25 *loan for a period not to exceed one calendar year, unless approved*  
26 *by the commission for a longer period, if the participant becomes*  
27 *unable to complete one of the four consecutive years of employment*  
28 *as a school nurse due to being laid off, reassigned, or other reasons*  
29 *beyond the control of the participant, as determined by the*  
30 *commission.*

31 *(2) The commission shall make no further payments under the*  
32 *loan assumption agreement until the applicable requirements*  
33 *specified in Section 70132 have been satisfied.*

34 *(d) If a program participant fails to redeem an agreement for*  
35 *student loan assumption within 10 years of the agreement's*  
36 *issuance, the participant shall be fully liable for all student loan*  
37 *obligations.*

38 *70135. (a) The commission shall administer this article, and*  
39 *shall adopt rules and regulations for that purpose. The rules and*  
40 *regulations shall include, but need not be limited to, provisions*

1 regarding the period of time during which an agreement shall  
2 remain valid, the reallocation of resources in light of agreements  
3 that are not utilized by program participants, the failure, for any  
4 reason, of a program participant to complete a minimum of four  
5 consecutive years of employment as a school nurse, and the  
6 development of projections for funding purposes.

7 (b) The commission shall solicit the advice of representatives  
8 from postsecondary education institutions, the State Department  
9 of Education, the Commission on Teacher Credentialing, school  
10 districts, and county offices of education regarding proposed rules  
11 and regulations.

12 70137. The commission shall report annually to the Legislature  
13 on the program established under this article. The report shall  
14 include, but shall not be limited to, all of the following:

15 (a) The total number of loan assumption agreements offered,  
16 by education level and institution.

17 (b) The number of loan assumption agreements paid out, by  
18 education level and institution.

19 (c) The number of loan assumption agreements that are  
20 redeemed, by year of service.

21 (d) The annual and cumulative attrition rate of participants, by  
22 education level and institution.

23 70140. This article shall become inoperative on July 1, 2015,  
24 and, as of January 1, 2016, is repealed, unless a later enacted  
25 statute, that becomes operative on or before January 1, 2016,  
26 deletes or extends the dates on which it becomes inoperative and  
27 is repealed.

28 ~~SECTION 1. Section 69612 of the Education Code is amended~~  
29 ~~to read:~~

30  
31  
32 **All matter omitted in this version of the bill**  
33 **appears in the bill as introduced in the**  
34 **Senate, February 12, 2009. (JR11)**  
35